

**Application No.: 10/645,665****Docket No.: 2328-062****REMARKS**

Applicants submit herewith their Declaration under 37 CFR 1.131 which establishes conception and reduction to practice of subject matter that antedates the August 1, 2003 filing date of Howard, US Patent Publication 2005/0022933, relied on by the examiner to reject claims 15-23, 25-33, 35-37, 39-41 and 64-79 under either 35 USC 102(e) or 35 USC 103(a). Two of the Declarations are submitted with different signatures. All of the inventors have, to date, not signed. Applicants are in the process of obtaining the signatures of the remaining inventors and will forward the Declarations with the remaining inventors as soon as possible. Consequently, the rejections based on Howard are overcome.

To expedite prosecution, claims 15, 20, 64, 71, 73, 75 and 76 have been canceled and some of the remaining claims have been amended to more specifically define applicants' contribution to the art with greater particularity. For example, claim 20 has been canceled and the subject matter thereof has been combined with claim 16, allowable claim 34 has been combined with the subject matter of dependent claim 33 and independent claim 25, as previously submitted, and allowable claim 38 has been combined with claim 25, as previously submitted. Claim 25 has been amended to require three or more frequencies to be coupled to the first electrode. Claim 26, that depends on independent claim 25, has been amended to indicate at least three frequencies are applied to the first electrode during a first operating time period of the processor that is different from a second operating time period of the processor which occurs while a plurality of the frequencies is applied to the first electrode and at least one of the frequencies is applied to the second electrode. Similar changes have been made in claims 69 and 72.

Canceling of claim 15 renders the rejection of claim 15 as being anticipated by Chen et al., US patent publication 2006/0175015 moot.

Allowance of claims 42-51 is noted.

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Allowance of all claims is in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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